



AGENDA

Environmental Oversight Committee

Committee Members

Lori Donchak, Chairman
Melanie Schlotterbeck, Vice Chairman
Charles Baker, Caltrans District 12
Lisa Bartlett, OCTA Board of Directors
Veronica Li, US Army Corps of Engineers
Dr. David Chapel, Grand Jury Association of OC
David Mayer, CA Dept. of Fish & Wildlife
Derek McGregor, DMc Engineering
Dan Silver, Endangered Habitats League
Jonathan Snyder, US Fish & Wildlife Service
Anthony Villa, Taxpayers Oversight Committee Representative
John Walsh, CA Wildlife Conservation Board

Orange County Transportation Authority
600 South Main Street, Room 154
Orange, California
December 2, 2015 at 2:30 p.m.

1. **Welcome**
2. **Pledge of Allegiance**
3. **Approval of November 4, 2015 Minutes**
4. **Harriett Wieder Restoration Project Update**
Lesley Hill, OCTA

The Bolsa Chica Conservancy (BCC) presented a status update to the EOC at the November 4th EOC meeting. The EOC requested that staff provide monthly status updates and that BCC return every three months with a progress report. A status update for the project is provided.

5. **Resource Management Plans Presentation**
Lesley Hill and Dan Phu, OCTA
Monte Ward, OCTA Consultant

OCTA released the resource management plans (RMPs) for the OCTA Trabuco and Silverado Canyon Preserves on Nov. 11, 2015. The release included the Ferber Ranch, O'Neill Oaks, Hafen, Saddle Creek South, and MacPherson Preserves. These RMPs will be available for public review for a 90-day period in order to solicit public feedback on these documents. OCTA held the first public meeting on Saturday, November 21st. In addition to today's EOC meeting, an additional public meeting is scheduled for December 9th. Staff will present an overview of these RMPs. The remaining RMPs will be released

Public Comments: The Agenda descriptions are intended to give notice to members of the public of a general summary of items of business to be transacted or discussed. Members from the public wishing to address the Committee will be recognized by the Chairman at the time the Agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes. Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA at (714) 560-5725, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.



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Environmental Oversight Committee

at a later date and will utilize a similar public outreach process. The RMPs are subject to the review and approval of the California Department of Fish and Wildlife and United States Fish and Wildlife Service.

- 6. Public Comments**
- 7. Committee Member Reports**
- 8. Next Meeting – January 6, 2015**
- 9. Adjournment**

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Minutes

Measure M2 Environmental Oversight Committee

Committee Members

*Chair Lori Donchak, Chairman
Melanie Schlotterbeck, Vice Chairman
Charles Baker, Caltrans District 12
Lisa Bartlett, OCTA Board of Directors
Dr. David Chapel, Grand Jury Association of OC
David Mayer, CA Dept. of Fish & Wildlife
Derek McGregor, DMc Engineering
Dan Silver, Endangered Habitats League
Jonathan Snyder, US Fish & Wildlife
Anthony Villa, Taxpayers Oversight Comm.
John Walsh, CA Wildlife Conserv. Board.*

*Orange County Transportation Authority
600 South Main Street, Room 154
Orange, California
November 4, 2015 at 2:30 p.m.*

Member(s) Absent

Veronica Li, US Army Corp of Engineers

1. Welcome

Chairman Lori Donchak called the Environmental Oversight Committee (EOC) meeting to order at 2:30 p.m.

2. Pledge of Allegiance

Jonathan Snyder led the Pledge of Allegiance.

3. Approval of October 7, 2015 Minutes

Chairman Lori Donchak asked if there were any additions or corrections to the October 7, 2015 EOC minutes. A motion was made, seconded, and passed unanimously to approve the October 7, 2015 meeting minutes as presented.

4. Restoration Projects Update

Lesley Hill, OCTA, said at the October 7th EOC meeting the Bolsa Chica Conservancy (BCC) gave a status update of their project – the Harriett Wieder Restoration Project. The EOC requested that the BCC return to the November 4th EOC meeting to present a milestone schedule for the Project.

Grace Adams, Executive Director of BCC, gave a report on the proposed milestones for the Harriett Wieder project.

Dan Silver asked why there is still a partial private ownership of the project. Ed Mountford, Senior Vice President of the California Coastal Communities, said the Harriett Wieder Regional Park is made up of 50% land that is publically owned and 50% of land that is privately owned. In 2006, an irrevocable offer of dedication was made to the County for the portion of the property that was private ownership. The County indicated it was not in a position to accept the irrevocable offer of dedication so the property remains under the California Coastal Communities ownership.

An EOC member asked when they expect the County to accept the irrevocable offer of dedication. Stacy Blackwood, O.C. Parks Director, said there are still active oil operations and the County is reluctant to take ownership of the property until all active oil and other private industry activities have ceased, and there is sufficient evidence that all environmental mitigation and remediation requirements have been met in order to ensure there are no operations on site which might impact the safety of the public.

When asked about the conservation mechanisms, Stacy said the conservation mechanisms will be mirror images of each other and remain in place in perpetuity.

Chairman Lori Donchak asked if the November 30th timeline for O.C. Parks and the private owners to submit an updated deed restriction is a realistic deadline. Stacy said she believed they have a solid working draft today and do not anticipate any issues.

Chairman Lori Donchak asked when the deadlines were for planting this area. David Pryor, Bolsa Chica Conservancy's Ecologist, said they can start planting as late as July.

Director Lisa Bartlett said eventually they will all fit together, but currently all they have is a proposed milestone schedule. Different components may need to be stretched out as far as the time frame is concerned. It is a work in progress and the EOC will just need to work with them.

Chairman Lori Donchak provided a summary of the discussion:

- General positive support for the project
- Appreciation for the approach going forward
- Staff to return in December with a revised milestones schedule
- No contracts should be executed before the next EOC meeting
- Bolsa Chica Conservancy to return within three months with a progress report

A motion was made, seconded, and approved unanimously to:

1. Endorse the Bolsa Chica Conservancy's proposed milestone schedule with the suggestion to revise the schedule range to definite dates with buffers which will be reviewed in the next meeting;

2. Direct staff to begin to execute an Agreement to move forward with the Harriett Wieder Restoration Project and issue a monthly status report until the restoration project begins;
3. Direct staff to reflect the proposed milestone schedule into the agreement in order to assure that the schedule is adhered to and to include an escape clause for OCTA if EOC agrees status of project is not sufficiently proceeding within schedule;
4. Direct Bolsa Chica Conservancy to return to the EOC on a quarterly basis with a progress report.

5. Resource Management Plans Summary

Dan Phu, OCTA, said OCTA will be releasing the Resource Management Plans (RMPs) for the OCTA Trabuco and Silverado Canyon Preserves on November 11, 2015. The release will include the Ferber Ranch, O'Neill Oaks, Hafen, Saddle Creek South, and MacPherson Preserves.

Lesley Hill gave an overview of the RMP being released. She said the RMP is somewhat of a living and breathing document -- priorities change and management changes. It is something that is revisited on a regular basis about every five years.

Dan Phu gave a brief review of the RMP's financial section.

Monte Ward, Measure M Consultant, reviewed the input from the stakeholders.

Melanie Schlotterbeck, asked if the future land holder is going to be responsible for the updates or OCTA. Dan Phu said this has yet to be determined, but OCTA envisions whoever takes over the title and the management responsibilities is going to get the entire package.

Monte Ward added that the Conservation Plan is basically an agreement between the Wildlife Agencies and OCTA and it is approved by both entities. The RMPs are only approved by the Wildlife Agencies. Once the Conservation Plan agreement is approved, the Wildlife Agencies need to sign-off on the RMPs.

6. Public Comments

Delma Johnson had a correction on her public comments to the RMP. She also urged OCTA to take a look at the merge of the Hickey Trail, the Canyon Connector Trail, and the Rose Canyon Trail. They also connect to the regional trails.

7. Committee Member Reports

Dan Phu said he will be providing a biennial status update to the OCTA Board which occurs around June and December. The December 2015 Staff Report will cover three items: 1) The August 10, 2015 Inter-Agency Puma Regional Coordination Meeting; 2) Release of the Resource Management Plans; and 3) Recap of the Bolsa Chica Conservancy, Harriett Wieder Restoration Project

8. Next Meeting – December 2, 2015

The next EOC meeting will be December 2 at 2:30 p.m.

9. Adjournment

The meeting adjourned at 3:45 p.m.

December 2, 2015 Environmental Oversight Committee (EOC)
Agenda Item 4 Summary
Monthly Update on Harriett Wieder Restoration Project

Overview

Measure M2 includes an Environmental Mitigation Program (EMP) to deliver comprehensive mitigation for the environmental impacts of freeway projects in exchange for streamlined project approvals from the state and federal resource and regulatory agencies. In May 2012, the OCTA Board approved six restoration projects for funding. One such project is the Harriett Wieder Regional Park (Wieder Park) restoration project led by the Bolsa Chica Conservancy (BCC) to restore and enhance approximately 8.2 acres of riparian and coastal sage scrub/native grassland ecotone. The funding allocation was for \$475,000.

Background

The Wieder Park restoration project is located within the City of Huntington Beach (City) but owned and managed by OC Parks. The site is comprised of land that is approximately half publicly owned by the County of Orange and approximately half owned by Parkland Dedication Holding, LLC, a private land owner. In 2006, Parkland Dedication Holdings, LLC issued an Irrevocable Offer of Dedication (IOD) to the County of Orange to dedicate 80 acres of the privately held portion of Wieder Park to the county. The irrevocable offer of dedication portion remains in private ownership because OC Parks will not accept the irrevocable offer of dedication until there is sufficient evidence that all environmental mitigation and remediation requirements have been met in order to ensure that there are no operations on these private sites (e.g., active oil wells and private industry) which might impact the safety of the public.

All entities involved have committed to granting the BCC a license agreement in order to access the property to begin restoration work. In consultation with California Department of Fish and Wildlife (CDFW) and OC Parks, the Conservancy will be responsible for the long-term maintenance of the restoration sites.

Discussion

Given the complexity associated with the ownership of the property as well as the jurisdictional boundaries of the property, the Bolsa Chica Conservancy had not implemented the restoration plan for Wieder Park as of November 2015. The BCC's restoration plan was approved by the agencies in July 2015, pending approval of deed restriction covenants to protect use of the land to open space. Due to the significant delays and no initiation of field work since OCTA has awarded BCC funding, the Environmental Oversight Committee (EOC) required: 1) BCC to provide OCTA with specific project schedule milestones; 2) staff to provide monthly status updates until project implementation; 3) staff and BCC to reflect these schedule updates in a formal agreement with an out clause for OCTA should BCC be unable to meet the project schedule; and 4) BCC to provide quarterly status updates.

December 2, 2015 Environmental Oversight Committee (EOC)
Agenda Item 4 Summary
Monthly Update on Harriett Wieder Restoration Project

OCTA staff was recently contacted by BCC regarding the current status of the required Coastal Development Permits (CDP) to begin restoration on this site.

In 1997, both the County and the City approved CDPs for the Phase 1 improvements to Harriett Wieder Regional Park within their respective jurisdictions. Phase 1, a 55-acre improvement plan, included construction of the interpretive center, habitat restoration, trails and other minor park facilities. The California Quality Act (CEQA) clearance for both permits was provided by an Addendum to Final Environmental Impact Report (FEIR) 521 which was the environmental document for the 1992 General Development Plan for Harriett Wieder Regional Park. With minor exceptions – where there is slightly more coastal sage scrub area than grassland – the current restoration plan proposed by BCC is consistent with the 1997 approved restoration sub-section of Phase 1.

To date, the only Phase 1 improvement that has been constructed is the local park area. Although only the local park – entirely within City property – was completed, the city considers the CDP vested (the city has no time limit for project completion once the permit commences). Therefore, within the City's jurisdiction of the project site, BCC believes it can initiate the restoration work under this permit if the California Coastal Commission (CCC) also agrees that the permit is vested. However, because there was no work initiated or completed within the County, the CDP on the County property expired.

Since the restoration site is on property owned by two entities and two jurisdictions, and thus requiring two valid CDPs, BCC staff proposed three options for how to proceed:

- 1) Proceed with restoration within the City's jurisdiction (contingent upon CCC concurring that the CDP is vested) while pursuing a separate CDP for the County portion; or,
- 2) Use the previous Phase 1 approvals from the City and County (i.e., the 1997 approvals including the CEQA clearance) and pursue a new CDP from CCC for the restoration project; or,
- 3) Start over by seeking City/County approvals in concept for the eight acre restoration plan and then pursue a CDP from CCC.

Because of time and money, BCC believes the most viable approach is option 1. With this option, the most optimistic outcome is that the BCC proceeds with the City portion of the restoration work and concurrently applies for a CDP for the County portion of the restoration project, which is estimated to take a minimum of six months for approval.

Next Steps

BCC will pursue a CDP for the County section of the restoration project. Staff will participate in upcoming discussions between BCC, OC Parks and CCC regarding the Harriett Wieder restoration project.

Date	Task	Status
Nov 16, 2015	Obtain copies of existing CDPs for Harriet Wieders Regional Park from the city and the county. Review if CDPs are applicable to the mitigation project.	Copies of city and county CDPs obtained
Dec 4, 2015	OC Parks and private land owner to submit draft deed restriction to OCTA in addition to letters of support	
Dec 7, 2015	OCTA to provide draft of agreement between OCTA and BCC	
Dec 11, 2015	OCTA/wildlife agencies approve land protection assurance documents	
Dec 11, 2015	City staff to send letter confirming applicability of city CDP to the Wieders Park Restoration. Determine options for County CDP.	Requested from the city; reviewing options with county.
Dec 18, 2015	Execute contract between OCTA and BCC	
Jan 15, 2016	Meet with Coastal Commission staff to discuss requirements for CDP within unincorporated area (county portion) Submit request for encroachment permit from the county	
Feb 29, 2016	Submit CDP application for unincorporated area.	
Spring-Fall 2016	Site preparation including invasive plant removal and trail delineation	
November 30, 2016	Anticipated CDP issuance	
Fall 2016 – Winter 2017	Container plants installation, seeds dispersal Supplemental watering Monitoring conducted twice weekly during 120-day establishment period	
2017-2020	Monthly monitoring following 120-day establishment period Continued maintenance and invasive plant removal	